



**VOSH PROGRAM DIRECTIVE: 12-422**

**ISSUED: August 15, 2005**

**SUBJECT:   Methylenedianiline in Construction, §1926.60; Correction**

**A.   Purpose.**

This directive transmits to field personnel the correction to the final rule for Methylenedianiline in Construction, §1926.60.

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B.   Scope.**

This directive applies to all VOSH personnel.

**C.   Reference.**

69 FR 70373 (December 6, 2004).

**D.   Cancellation.**

Not Applicable.

**E.   Action.**

Directors and Managers shall ensure that field personnel understand and comply with the standard included in this directive.

**F. Effective Date.**

August 15, 2005.

**G. Expiration Date.**

Not Applicable.

**H. Background.**

On November 7, 2002, federal OSHA published a final rule entitled, “Exit Routes, Emergency Action Plans, and Fire Prevention Plans.” (67 FR 67949) The purpose of this action was to clarify and make consistent provisions regarding emergency action plans and fire prevention plans in several general industry standards. In that final rule, federal OSHA separated the requirements for emergency action plans and fire protection plans into two separate sections, 1910.38 and 1910.39, respectively. (69 FR 70373)

OSHA had intended to revise all health standards to reflect the change. Although several general industry health standards were revised at that time to reflect this change, the same provision in the Methylenedianiline (MDA) Standard for Construction (§1926.60) was not similarly revised at that time.

On December 2, 2003, the Safety and Health Codes Board (the Board) adopted federal OSHA’s final rule on Exit Routes, Emergency Action Plans and Fire Prevention Plans, with an effective date of March 1, 2003.

On May 24, 2005, the Board adopted the correction to the final rule for Methylenedianiline in Construction, §1926.60, with an effective date of August 15, 2005.

**I. Summary.**

Federal OSHA revised the regulatory text of the Methylenedianiline (MDA) Standard for Construction to correct a cross reference to OSHA’s standard on Emergency Action Plans and Fire Prevention Plans by inserting the reference for “Fire prevention plans,” 29 CFR 1910.39" in §1926.60 (e)(1)(iii). (69 FR 70373)

Section 1926.60 (e)(1)(iii) will now read as follows:

The plan shall specifically include provisions for alerting and evacuating affected employees as well as the applicable elements prescribed in 29 CFR 1910.38 and 29 CFR 1910.39, “Emergency action plans” and “Fire prevention plans,” respectively. (69 FR 70373)

C. Ray Davenport  
Commissioner

Attachment: 69 FR 70373 (December 6, 2004) or refer to:

[http://www.osha.gov/FedReg\\_osha\\_pdf/FED20041206.pdf](http://www.osha.gov/FedReg_osha_pdf/FED20041206.pdf)

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**METHYLENEDIANILE IN CONSTRUCTION, §1926.60; FINAL RULE**

As adopted by the  
Safety and Health Codes Board

Date: May 24, 2005



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective date: August 15, 2005

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When the regulations, as set forth in the correction to the final rule for Methylenedianiline in Construction, §1926.60, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and  
Industry

Agency

Department

January 5, 2005

August 15, 2005